IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

WP(C).No. 12944 of 2007(N)

PETITIONER:

FOCUZ CORPORATION PVT. LTD.,
(FORMERLY BENZ AUTOMOBILES PVT. LTD.),
REGD. OFFICE FOCUZ TOWERS, EDAPPALLY,
KOCHI-682 024, REP. BY ITS MANAGING DIRECTOR.

BY ADV. SRI.U.K.RAMAKRISHNAN
SRI.E.K.MADHAVAN
SRI.P.V.LOHITHAKSHAN
SMT.P.VIJAYAMMA
SMT.UMA GOPINATH

RESPONDENTS:

1. THE ASST. PROVIDENT FUND COMMISSIONER,
EMPLOYEES PROVIDENT FUND ORGANIZATION,
SUB REGIONAL OFFICE, BHAVISHYA NIDHI BHAVAN,
KALOOR, KOCHI.

2. THE EMPLOYEES PROVIDENT FUND APPELLATE
TRIBUNAL, NEW DELHI-110 019.

BY ADV. SRI.S.GOPAKUMARAN NAIR, SC, P.F.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.12944 OF 2007

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Dated this the 31st day of May, 2007

J U D G M E N T

The petitioner is aggrieved by coercive proceedings for recovery of provident fund amounts demanded by the 1st respondent. Petitioner's contention is that the petitioner has filed Ext.P4 appeal before the 2nd respondent-Tribunal, which was defective. The petitioner has now filed Ext.P6 appeal in the proper form. The petitioner submits that the petitioner may be given an opportunity to move the Tribunal for appropriate interim orders and stay of further proceedings by the 1st respondent in the meanwhile.

2. I have heard the learned counsel for the petitioner as also the learned Standing Counsel appearing for the 1st respondent.

3. In the above circumstances, this writ petition is disposed of directing the petitioner to move the Tribunal for interim orders within a

period of one month. Interim orders passed by this court on 13.4.2007 would continue until orders are passed by the Tribunal.

Writ petition is disposed of as above.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.